LEAD
PROGRAM GUIDE

A GUIDE TO ALBERTA ENVIRONMENT'S LEADERS ENVIRONMENTAL APPROVAL DOCUMENT (LEAD) PROGRAM: PILOT PHASE

APRIL 2001

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LEAD PROGRAM GUIDE

A GUIDE TO ALBERTA ENVIRONMENT'S LEADERS ENVIRONMENTAL APPROVAL DOCUMENT (LEAD) PROGRAM:

PILOT PHASE

PREPARED FOR

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SECTION 1— INTRODUCTION TO THE LEAD PROGRAM

1.1 OVERVIEW OF THE GUIDE

The Alberta Leaders Environmental Approval Document Guide is organized into Sections each of which deals with specific aspects of the LEAD Program[1]. Section 1: introduces and summarizes the Alberta Environment's Alternative and Innovative Regulatory Approaches project background, objectives, benefits and principles. Section 2 describes the key requirements and their evaluation criteria, Section 3 describes the LEAD application and application process, and Section 4 outlines the criteria for entering, remaining within or leaving the program. Section 5 outlines the recognition and incentives available through the program. Section 6 directs readers to a draft LEAD approval.

1.2 OBJECTIVES OF THE PROGRAM

Alberta has a long history of effective environmental protection and pollution control. This has been achieved largely through the use of traditional command and control regulatory instruments such as approvals, licenses, certificates, and codes-of-practice. The growing awareness, and acknowledgement, of the inherent importance of environmental stewardship from a sustainable development standpoint is now providing opportunities for Alberta Environment to consider less prescriptive and more outcome/behavior based approaches to achieving environmental goals. The goal of this project is to augment current regulatory systems with instruments that achieve better levels of environmental protection at less cost while maintaining a high degree of public credibility and confidence in Alberta Environment's overall environmental management system.

1.3 BACKGROUND

The Alberta Leaders Environmental Approval Document (LEAD) Program began in 1999 as the Alberta Environment Alternative and Innovative Regulatory Approaches initiative. Its purpose was to examine possible new regulatory tools that would encourage industry to reduce emissions to the environment while promoting flexibility and cost effectiveness. In recent years there has been a regulatory trend internationally towards simpler performance based approvals that allowed greater flexibility in facility operations in exchange for improved environmental performance. Alberta Environment (AENV) commissioned a study to evaluate the existing AENV regulation of individual facilities in the province and alternative regulatory mechanisms in use in other jurisdictions. Results[2] suggested that adding

[1] Throughout this document reference to the LEAD Program, LEAD Pilot Program, Pilot Phase, and other similar terms all refer to the Alberta Environment Leaders Environmental Approval Documents (LEAD) Pilot Program initiated in January 2001.

[2] Kemper[2] & Associates Inc. 2000. An Evaluation of Alternative and Innovative Regulatory Approaches for Environmental Management in Alberta.
.http://www.gov.ab.ca/env/protenf/publications/AIRSforEnvMgntJune00.pdf

new, innovative regulatory tools to approvals for exemplary facilities would encourage them to further reduce emissions and improve their environmental performance beyond basic regulatory requirements.

A three-tiered[3] system was recommended, for facilities with exemplary performance histories, involving the full participation of industry, government and Environmental Non-Government Organizations (ENGOs)/public working together to establish and monitor environmental goals. The system relies on company/facility environmental management systems, such as ISO 14001. It includes stakeholder participation in the establishment and on-going evaluation of beyond-regulatory performance measures. Achievement time frames, verification and audits are included to ensure public and government confidence.

The next step is to test the approaches that appear to have merit by implementing and evaluating them at pilot facilities in Alberta. The final step, if appropriate, is to further develop and implement a full Program based on alternative/innovative regulatory strategies.

The Program continues to be directed by an advisory committee (Appendix A) and benefits from the participation of many dedicated Alberta Environment staff in headquarters and the regions. The participation of companies and facilities in this pilot phase will require significant extra effort from their staffs and will be instrumental in the overall success of the Program.

1.4 OBJECTIVES OF THE GUIDE

This Program Guide is a "Work in Progress"; its primary objective is to provide information and guidance to pilot facility managers, government staff and ENGOs/public stakeholders in the Alberta Environment Leaders Environmental Approval Document (LEAD) Pilot Program. In particular this Guide is intended for use in implementing the pilot approvals. It is also expected that the Guide will be periodically updated during the pilot phase as different approaches and criteria are tested and evaluated. The Program Guide will thus be a "living document" with changes being posted on AENVs website. At the end of the LEAD Pilot Program, should AENV decide to proceed to full LEAD Program implementation, the Guide will be rewritten for that use.

1.4.1 USE OF THE PROGRAM GUIDE

This guide describes the important elements and procedures of the LEAD Pilot Program. The purpose of the Guide is to describe the elements of the Program to industry, ENGOs, government and the public. The Guide should be used by

[3] A multi-stakeholder advisory committee endorsed the general concepts described in this document however, the number of tiers and other details of the design of the system will be tested during the Pilot Phase and will be finalized later.

industry in formulating their application to the LEAD Program and by government reviewers and interested parties as they evaluate the products of the program, including expectations and criteria for each of the three tiers.

The purpose of the LEAD Pilot Program is to test, using facilities in Alberta, the utility and effectiveness of the Program principles, practices and operating procedures that were developed in the first phase of the study and other modifications suggested during the Pilot Program.

1.5 PROGRAM PRINCIPLES

The LEAD Program is based on core principles that were approved during the first stage of the program (the evaluation of alternative and innovative regulatory approaches) and that are essential to the development and implementation of the Pilot Program:

- ✓ Equal participation by government, industry and ENGOs/public to achieve win-win-win solutions.
- ✓ Open and transparent operations and decision-making.
- ✓ Performance that exceeds present regulatory requirements.
- ✓ The existing regulatory system should not be weakened by new approach, but strengthened, augmented, and refocused.
- ✓ Significant measurable environmental performance goals will be set and attained.
- ✓ Meaningful stakeholder involvement.
- ✓ Modifications to the present regulatory system should allow increased flexibility and innovation, in exchange for significant environmental benefits.
- ✓ Benefits should accrue to industry, government and the environment; these should be based on a renewed partnership embracing EMS.
- ✓ To the extent possible, use existing systems to speed implementation.
- ✓ A record of good performance to enter program.
- ✓ A mechanism to expel free riders.

1.6 BENEFITS OF LEAD PROGRAM

As designed the LEAD Program should deliver benefits to the environment in the form of reduced emissions. (Reduced environmental disturbance and reductions in other impacts from industrial operations may also result from participation in the program). Industry will be recognized as environmental stewards and should see benefits from facility-wide emission limits, more efficient approval and amendment processes and increased flexibility to implement changes quickly and efficiently and at lower cost. Government's and ENGOs' benefits include improved environmental protection through the incorporation of Environmental Management Systems (EMS) and Pollution Prevention (P2) in approvals. As well, all participants will benefit from the environmental partnership approach fostered under the LEAD Program.

The Pilot phase of the LEAD Program will help to shape and determine the final program. The actual benefits of the program will be modified over time and with the experience of the Pilot Program. Examples of some of the potential benefits are:

Benefits to the Environment

- ✓ Reduced resource and energy use per unit of production
- ✓ Reduced emissions from the facility, for a given production level
- ✓ Environmental improvements over a broader range of impacts
- ✓ Greater reuse and recycling of resources from present waste streams
- ✓ Reduction or elimination of the use and emission of toxics and other pollutants.

Benefits to Industry

- ✓ Regulatory incentives (Bubble licensing, single point of contact, etc)
- ✓ Recognition of exemplary performance
- ✓ Partnership approach to EMS
- ✓ Public recognition for environmental leadership
- ✓ Flexibility of pre-approved modifications to processes & equipment
- ✓ More outcomes-based approval conditions
- ✓ Streamlined permitting and approvals process

Benefits to Government

- ✓ Adds positive motivation/incentives to traditional management tools
- ✓ Ensures use of a rigorous EMS
- ✓ Reduced administration coupled with a broader range of potential environmental benefits
- ✓ Enhances environmental performance beyond compliance limits

Benefits to the Public and ENGOs

- ✓ Ensures an on-going role in industry consultation
- ✓ Benefits of better, well-integrated performance based information
- ✓ Regular / more frequent opportunity to discuss companies' performance and corporate environmental policies within EMS structure
- ✓ Future performance commitments linked to regulatory requirements through approval amendments.

1.7 SYNOPSIS OF LEAD REQUIREMENTS

Industrial facilities in Alberta may apply to enter the Lead Pilot Program if they have an exemplary compliance history and have met or exceeded their past emissions requirements. Admission to the Pilot Program requires an Environmental Enhancement and Protection Act approval amendment. If admitted to the Program,

facilities are obliged by approval amendment to meet a series of negotiated conditions and to publicly report the results on an annual basis. The Pilot Program will operate for approximately three years, depending on the number of facilities and the terms negotiated in the amended approvals.

Compliance requirements within the original approval will normally remain in place with their enforcement provisions. Pilot facility approval amendments will either suspend or modify certain approval terms and conditions. Should a facility leave the LEAD Program, any approval clauses suspended by virtue of the LEAD amendment will resume in force.

In general each facility in the Lead Program will commit to:

- ✓ Having an EMS in place, or under preparation
- ✓ Performance goals/measures linked to reduced emissions or environmental effects
- ✓ Monitoring and reporting requirements
- ✓ Enhanced stakeholder involvement
- ✓ Practicing continuous improvement and P2
- ✓ Participate in relevant voluntary programs (e.g., VCR, ARET, or its successor, CASA Air-shed Monitoring, etc.)

At this time AENV is considering three possible levels or tiers in the final LEAD Program structure, with requirements and incentives tied to each tier. A final decision on the number and nature of the tiers will be based on the outcomes and lessons learned from the LEAD Pilot Program and stakeholder advice. The pilots will not include tiers; facilities accepted into the Pilot Program will negotiate approval amendments tailored to the facility. Details of the three-tier system proposed in the Phase 1 (evaluation of alternative and innovative regulatory approaches) are presented in Appendix B.

SECTION 2 — KEY PROGRAM ELEMENTS & THEIR EVALUATION CRITERIA

The basic program requirements are described in the following sections, including explanations of some of the evaluative considerations.

2.1 HISTORY OF EXEMPLARY EMISSIONS PERFORMANCE

One of the most important entry criteria is the requirement that performance be better then previous expectations, or better than the compliance requirements. This is an important requirement to maintain a high standard and to protect those companies already in the program. The requirement sets the stage for future improvements in performance over a broad range of environmental benefits.

The phase 1 report suggested that this criterion be:

"performance that exceeds present regulatory requirements is the baseline entry requirement" [p. 35].

Previous performance should be sufficient to consider a company/facility's entrance to the program. In interpreting this requirement some understanding and knowledge of the prior history of the facility and sector is necessary. The following aspects are relevant, and there may be others:

- ✓ Consideration should be given to facilities that have been strongly ratcheted down with respect to their emission limits in the recent past.
- ✓ The sector norms for pollution prevention, emission controls and technological advancement must be considered.
- ✓ Grandfathered old facilities would be evaluated based upon present-day sector norms.

One of the goals of the Pilot Program is to evaluate a range of facilities in the pilot phase. Consequently having facilities with a range of previous performances, below their regulated limits, within the program will make the analysis more robust.

2.2 ENVIRONMENTAL MANAGEMENT SYSTEMS (EMS)

Alberta Environment has been encouraging use of environmental management system approaches on the basis that the use of an EMS results in better management and reductions of regulated pollutants and toxic substances. Experience in other jurisdictions verifies the importance of EMS to regulators, companies and public confidence, in that they reduce the environmental risk associated with the facility.

Environmental management systems typically start by process mapping the facility to identify environmental impacts. The scope is then expanded to include, at a minimum, the business practices, record keeping, emergency response, and training of employees until all functions are integrated into a single management document

that has the support of senior management of the facility. The EMS should include performance measures and should be easily verified through actions, goals and performance measurements, which are tied to responsible individuals in the organization. Audits, either internal or external (depending on the tier) should be done periodically to ensure that all elements of the EMS are being applied.

The goals of an EMS are consistent with those of other national programs such as the VCR, ARET and Responsible Care®. Many of these and other programs recommend EMS implementation to their members as a way of attaining their goals.

Some industrial sectors in Alberta suggested that they might have parallel programs that achieve the same functions. Potential candidates include Responsible Care®, Forest Care, and the Canadian Association of Petroleum Producers Stewardship Program. Comparative evaluations between ISO 14001 and the latest versions of these industrial association based programs are underway and a worksheet detailing the assessment will be included in future drafts of this Guide (Appendix D).

The pilot phase of the LEAD Program acknowledges that facilities may be just starting development of their facility-based EMS.

For the fully implemented LEAD Program EMS requirements likely will be distinctive between Tiers and require that applicants for Tier 2 & 3 have a completed ISO 14001 equivalent EMS (in scope/outcome) in place, including independent audit functions. Tier 1 applicants may enter the program with either an EMS under development or the commitment to complete a basic, robust EMS during their time spent in the Tier 1. To attain Tier 3 an EMS must have been in place for at least three years and undergone one independent verification.

2.2.1 COMPONENTS OF A BASIC EMS

A basic EMS is less complex and intensive than an ISO 14001 EMS. It would provide opportunities and mechanisms for improvement in specific programs or types of impacts to air, land or water. Environmental impacts addressed in the Basic EMS should include at least the pollutants, toxic substances, and activities governed by current environmental laws, regulations, and permits. Some key components of a basic EMS include:

- ✓ Planning activities that identify operations and processes that affect the environment, evaluate significant impacts, establish targets to reduce impacts, and identify and implement activities that achieve targets.
- ✓ Integration of environmental management with overall management practices to consider the effect of operating conditions on targeted environmental impacts and periodically review environmental performance.

- ✓ Emphasis on continual improvement through specific time schedules and responsibilities for implementation, procedures to monitor compliance and eliminate problems, periodic progress assessments, and performance measurements.
- ✓ Ability to verify results easily through documentation or other means.
- ✓ Establish positions at the facility responsible for key environmental functions and EMS deliverables.

2.3 PERFORMANCE GOALS AND MEASURES

Established performance goals and associated measures are an integral part of the LEAD Program. Performance measures will be used to track, evaluate/gauge and explain the attainment of goals relating to past and future performance. In the LEAD Program performance goals should incorporate P2 and continuous improvement principles.

Performance goals are based upon the key impacts that the facility has on the environment and may include modifications to processes and equipment that affect emissions. The performance goals and measures are established through discussions among facility managers, regulators and ENGOs/the public. The scope of the planned performance targets would be determined by the facility's operations and by local issues that are pertinent to the facility's use of resources and its emissions and other environmental impacts. In the final LEAD Program, planning horizons for the length of the agreement should be sufficiently long to allow corporate planning for capital expenditures. To properly evaluate the attainment of capital equipment based performance measures five, ten or fifteen years may be required.

Because performance measures are reviewed and updated each year the opportunity exists to build on recent successes and to develop new goals measures that incorporate learnings from special studies that may have been done by the facility.

2.3.1 SETTING PERFORMANCE MEASURES

The performance measures, set as goals for the facility under the LEAD Program, must be clearly defined and easily quantified. Objectives and targets for improvement should be set against clear, quantifiable data related to current or baseline environmental performance that relate data to facility activities.

Performance measures can span a wide scope and need not be limited solely to emissions streams. Examples of options include:

- ✓ Emissions limit goals with long averaging times to reduce mass loadings to the environment (not to be confused with current compliance limits which have short averaging periods i.e. monthly, daily, hourly.)
- ✓ Equipment replacement and process changes that would reduce or eliminate the use of toxics and waste streams.

- ✓ Special studies that would evaluate aspects of environmental performance.
- ✓ Application of continuous monitoring equipment (not required by existing approvals), which would enhance tracking environmental performance.
- ✓ Establishing habitat enhancement projects on facility property (this could, for example, utilize wastewater treatment).
- ✓ Bussing employees to work to reduce fuel consumption.
- ✓ Using lifecycle product purchasing practices.

2.4 MONITORING & REPORTING REQUIREMENTS

2.4.1 BASELINE DATA REPORT

Data and monitoring requirements within the LEAD Program are generally flexible and tailored to the facility and its significant emissions to the environment. Upon application to the program the facility will provide a report of its emissions and related history. The length of record may vary depending upon recent changes in technology and regulatory limits. The purpose of this record is to substantiate the past record of exemplary performance and to serve as a baseline for future monitoring reports filed by the facility. The baseline report should be interpretive, not simply as listing of data tables, the intent being to provide a simplified format for the stakeholders and other interested members of the public. An attempt should be made to have some consistency in format to allow comparison between the baseline reporting and the subsequent data reporting under LEAD.

2.4.2 LEAD PERFORMANCE MEASURES REPORTING

In most cases the portion of the compliance reporting requirements from the original approval will remain in place and be reported under the main approval. During the process of evaluating the facility's LEAD application, there will be discussion of suitable performance measures linked to the proposal(s) made by the facility in its application. These will be translated to new, more relevant reporting measures and mechanisms. These performance measures, supported by the monitoring data, become the goals for the evaluation of performance at the next cycle.

The reporting of monitoring data should be transparent and readily accessible by the stakeholders, particularly when continuous data is collected. Graphic formats can often convey large amounts of data that can be quickly and easily interpreted by the lay public especially if relevant benchmarks, guidelines or limits are displayed on the figures. In this regard the establishment of a website for the posting of company interpreted data and information would be a significant asset. The LEAD Program is an excellent test vehicle for companies wishing to pilot new data acquisition and reporting technologies and gain public confidence in these new systems.

Stakeholder notification of unusual events with environmental effects is typically done through the public advisory committees and we would expect this practice to be extended to the LEAD stakeholder groups. Website posting of information would be a valuable asset to speed the dissemination of accurate information.

Reporting linked to other compliance reporting requirements might be useful in tracking overall facility performance and bridging the understanding between the two reporting systems.

2.5 STAKEHOLDER AND PUBLIC INVOLVEMENT

Enhanced public consultation is expected from facilities in the LEAD Program. Stakeholders will be provided with opportunities to review the past environmental performance of the facility and assist in the setting of performance goals and measures for the next annual evaluation cycle. These meetings are to be coordinated by the facility and should strive to determine the public members' perception and concerns with the facility and its impact on the surrounding environment. Two-way communication about the operations and environmental performance of the facility, its data and monitoring reporting and interpretation should be linked to the stakeholder consultation. Issues should be framed in language that is readily understood and parties are encouraged to use the LEAD approval as an instrument to both develop and implement solutions to issues.

Facilities will report on their stakeholder involvement programs and issues raised therein each year.

Prior to each annual cycle to set performance measures facility staff should review past performance and promote a discussion of ways to potentially address environmental impacts. These sessions should also review the successes of past stakeholder involvement and seek improvements where necessary.

The scope of stakeholders involved should include interested individuals from the vicinity of the facility. Where appropriate the facility should provide technical expertise to assist stakeholders. This may come in the form of provincial ENGOs or other resource experience identified jointly by the facility management and the local stakeholders.

The benefits of enhanced stakeholder participation include broadened community awareness and earlier indications of concerns about the facility in the region, and most significantly a better community response to approval changes or approval renewals.

2.6 CONTINUOUS IMPROVEMENT AND POLLUTION PREVENTION

Both continuous improvement and pollution prevention (P2) are basic principles of Alberta Environment's current approval system and the LEAD Program. They should also be the foundation of most EMSs. Their application drives companies towards higher performance and results in lowered emissions and risks to the

environment. It is anticipated that these principles will be applied through the annual performance goals and measurement.

SECTION 3 — APPLICATION AND APPLICATION PROCESS

3.1 OVERVIEW OF THE APPLICATION PROCESS FOR LEAD PILOT APPROVALS

Application to the program is initiated by facilities that believe they fulfill the entry criteria and are prepared to meet Program requirements. The LEAD approval is facility based. Entry into the LEAD Program is voluntary but, once accepted, facilities are required to meet the performance and reporting requirements of the program and share their results openly with government and the interested public, including during the application stage.

Companies may apply for a LEAD approval by submitting a letter to the Director. In its letter the company should identify the facility and outline, in summary form, its reasons for applying. This letter will trigger an evaluation of the facility and a preliminary meeting with government to ensure a clear understanding of the Pilot Program. During the Pilot Program companies may apply for a LEAD approval until the end of March 2002.

Applicants are encouraged to be creative in providing the necessary information, while clearly explaining how the facility will meet program objectives, improve their environmental performance, and provide a reasonable estimate of their future areas for emissions reductions and environmental improvement.

In applying for a LEAD Pilot Approval, the facility also should provide (a) basic descriptive information about its operations, (b) its regulatory status, (c) current EMS (if applicable), (d) compliance history and environmental performance, (e) past, current and future plans for stakeholder involvement in reviewing the facility's environmental program, and (f) the amendments, waivers or other incentives it is seeking.

A schematic of the LEAD Approval application and review process is included at the end of this section (Figure 1).

3.2 LEAD APPLICATION PROCESS & REQUIREMENTS

Pilot Program LEAD approvals will be in the form of an amendment to a facility's existing EPEA Approval. This amendment will be subject to the normal public notification process.

Facilities interested in the program should make themselves familiar with the requirements and benefits of the program. Pertinent documents are posted on the AENV web site at XXX. This site, including the Guide, will be updated on an on-going basis as the Pilot Program progresses and as the overall LEAD Program evolves.

3.2.1 INDICATION OF INTEREST

Companies with an interest in applying to the Pilot Program should submit a letter of interest to:

Director, Environmental Sciences Division
Alberta Environment
4th floor Oxbridge Place
9820 - 106 Street
Edmonton, AB T5K 2J6
Phone: (780) 427-5883

A company can apply for a facility to be part of the LEAD Pilot Program at any time up to March 31, 2002. During the pilot stage the number of facilities in the program may be limited at the discretion of the Director. The program is seeking participation from a variety of industrial sectors. Pilot facilities are expected to advance the goals of the program.

In his response to a letter of interest, the Director will provide information to the applicant on the timing and subsequent steps which will be taken to advance the application.

The facility should provide a brief description of its operations and processes and its main effects on the environment. The letter should outline the status of the current approval and the facility's reasons for applying for a LEAD approval.

3.2.2 INITIAL MEETING WITH APPLICANT

Following receipt of the letter of interest the Director will appoint an AENV Contact who will arrange for an onsite exploratory meeting with company officials to discuss the letter of intent and review the LEAD Program and its entry requirements. This meeting would explore the past compliance history and performance of the facility, its emissions to the environment, and the scope of benefits the company believes it can derive from the program. They may also discuss the improvements in measurable performance that the company believes it can achieve within the LEAD Program and the format of stakeholder participation. The purpose of this meeting is to ensure that the company has the relevant material prepared to support a meeting to discuss its application with stakeholders.

3.2.3 APPLICATION DISCUSSION MEETING

The formal review and discussion of the facility's *application* will begin with a meeting of government, ENGO/Public Advisory Committee and company staff to discuss the relevant aspects of the proposal. The purpose of this meeting and its discussions is to guide the facility in the preparation of its written application to the LEAD Pilot Program. An agenda for the meeting would include but not be limited to:

- ✓ The past compliance history of the facility
- ✓ Briefly review the entry, maintenance, and removal criteria for the Program
- ✓ A review of the emissions performance from the facility
- ✓ Facility's proposal(s) for environmental improvements, i.e. pollution prevention and continuous improvement plans
- ✓ Waivers or flexibility requested to achieve the above benefits
- ✓ Status of local public participation
- ✓ Reporting and monitoring changes, or other approval clause changes, if any
- ✓ Discuss the facility EMS or status of a comparable document
- ✓ Briefly review the entry, maintenance, and removal criteria for the program.
- ✓ A mock-up of the LEAD approval amendment.

If outstanding issues remain, a process and lead individuals will be identified to resolve them within a specified time period. The LEAD Contact will coordinate these activities with the facility lead person.

3.3 LEAD FACILITY APPLICATION

Using input gained from the two meetings and the general format outlined in the Application Discussion Meeting section above, the facility prepares its application using the general outline from the example in Appendix F. The application should identify how the company proposes to meet the maintenance criteria described in section 4.5.

In conjunction with and prior to the filing of the application, the applicant should be working with its stakeholder group(s) and the general public to inform them about the pending application and the nature of the LEAD approval. The intent is to resolve any public issues prior to the application being advertised.

3.4 REVIEW OF LEAD APPLICATION

If public issues remain unresolved at the time of application, the Director may initiate a public review of the LEAD pilot application. AENV will participate in attempts to resolve outstanding issues prior to accepting the application as complete. If the application is accepted the standard EPEA amendment process will be initiated, including public notice of the amendment application. During the pilot

phase, the final result, if approved, will be an amendment to the existing approval for the facility.

Figure 1 Lead Pre-Application Process

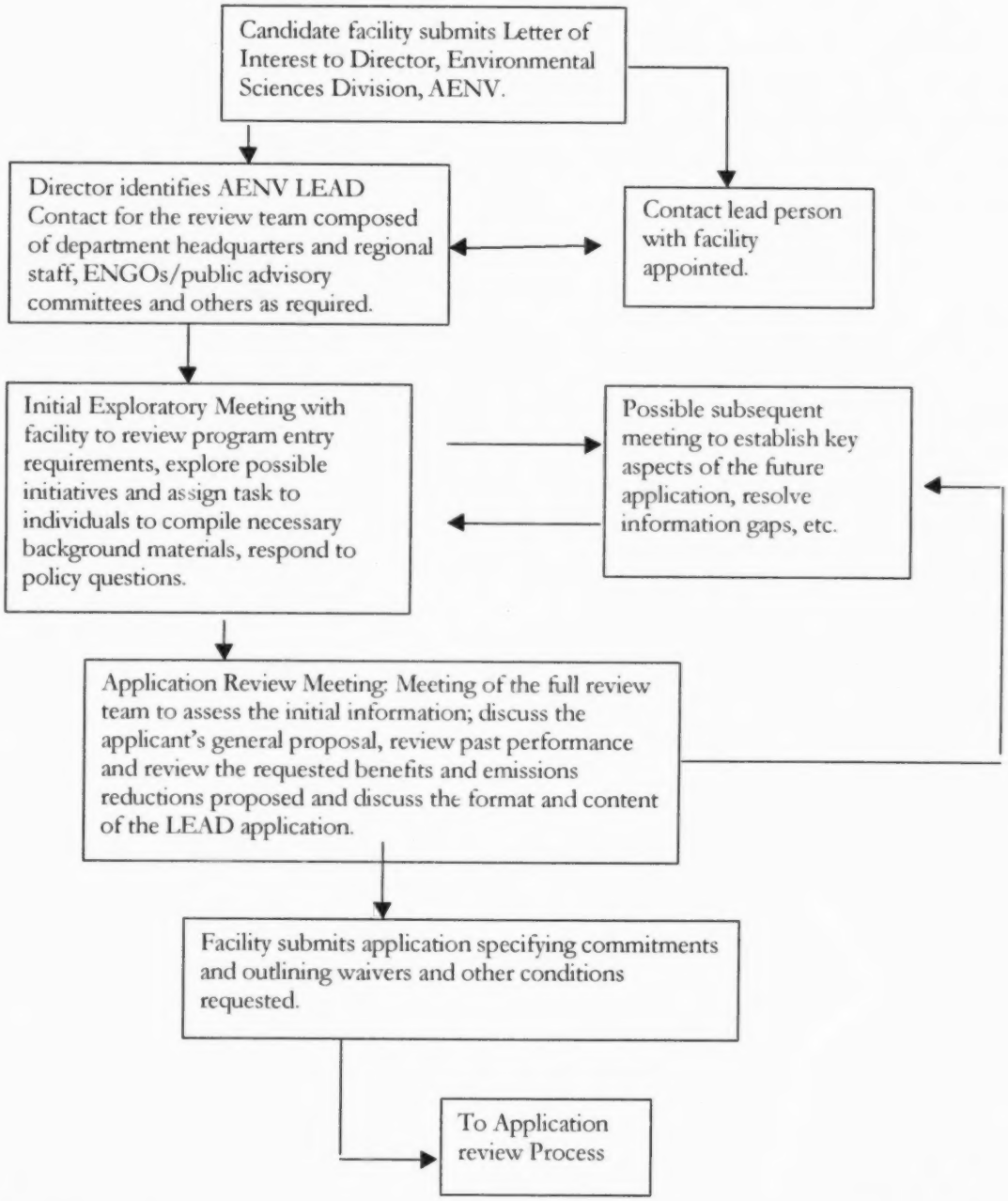
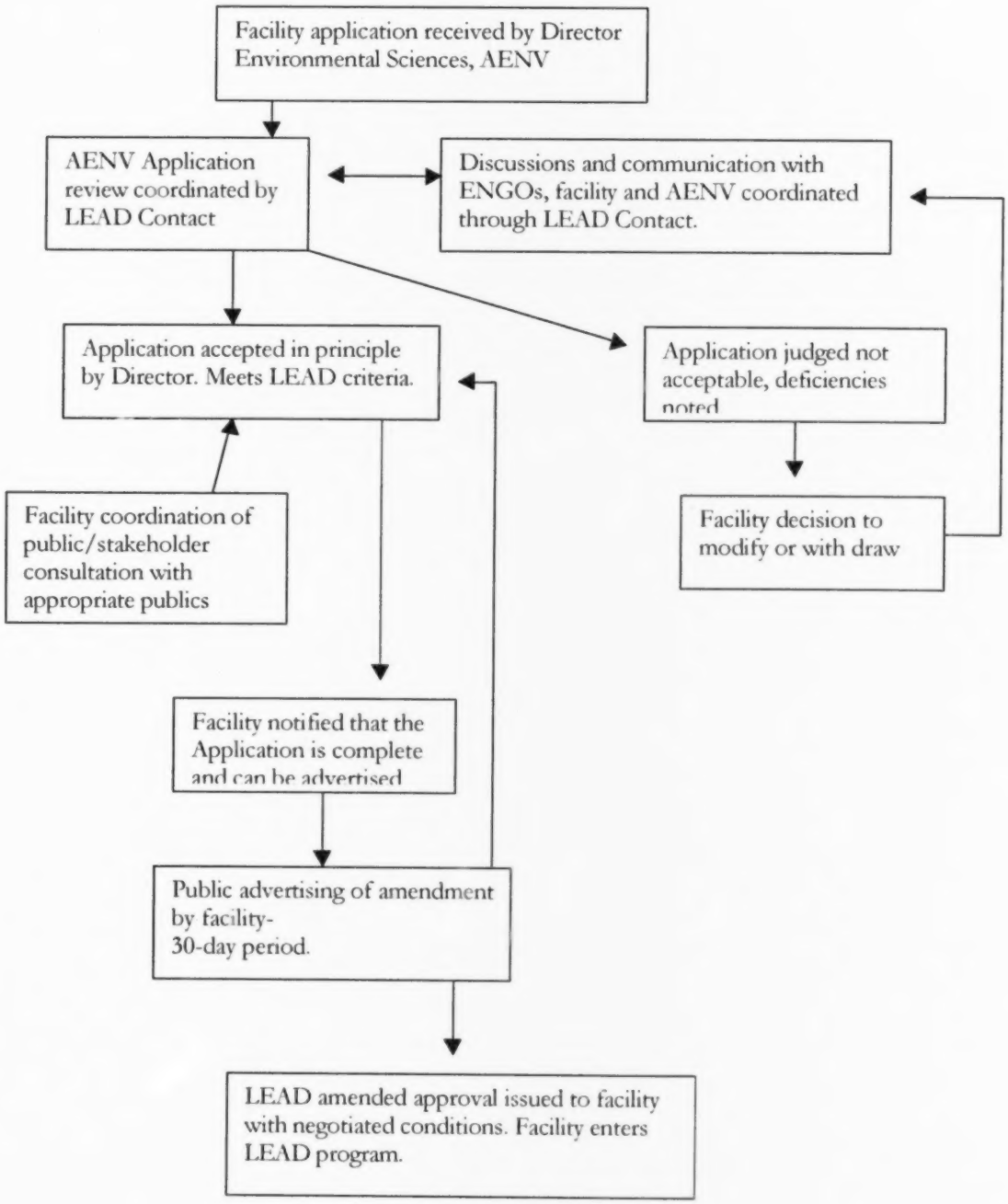

Candidate facility submits Letter of Interest to Director, Environmental Sciences Division, AENV.
Director identifies AENV LEAD Contact for the review team composed of department headquarters and regional staff, ENGOs/public advisory committees and others as required.
Contact lead person with facility appointed.
Initial Exploratory Meeting with facility to review program entry requirements, explore possible initiatives and assign task to individuals to compile necessary background materials, respond to policy questions.
Possible subsequent meeting to establish key aspects of the future application, resolve information gaps, etc.
Application Review Meeting: Meeting of the full review team to assess the initial information; discuss the applicant's general proposal, review past performance and review the requested benefits and emissions reductions proposed and discuss the format and content of the LEAD application.
Facility submits application specifying commitments and outlining waivers and other conditions requested.
To Application review Process

Figure 2 LEAD Application Review Process


Facility application received by Director Environmental Sciences, AENV
AENV Application review coordinated by LEAD Contact
Discussions and communication with ENGOs, facility and AENV coordinated through LEAD Contact.
Application accepted in principle by Director. Meets LEAD criteria.
Application judged not acceptable, deficiencies noted
Facility coordination of public/stakeholder consultation with appropriate publics
Facility decision to modify or with draw
Facility notified that the Application is complete and can be advertised
Public advertising of amendment by facility- 30-day period.
LEAD amended approval issued to facility with negotiated conditions. Facility enters LEAD program.

SECTION 4 — REQUIREMENTS FOR ENTRY, PARTICIPATION AND TERMINATING PARTICIPATION IN THE LEAD PROGRAM

4.1 ENTRY CRITERIA

There are minimum standards/criteria that a facility must meet in order to be eligible for the program. These would include an historical record of exemplary emissions performance; an EMS in place or under preparation, a commitment to establishing and achieving performance measures that incorporate continuous improvement and P2, and a commitment to enhanced stakeholder involvement. The details of each of these are described below.

4.1.1 COMPLIANCE HISTORY

The baseline requirement for entry into the LEAD Program for the applying facility includes a better than required history of emissions performance and a commendable EPEA compliance record for the past five years. In evaluating the past performance of the facility, the history of enforcement and the incident/inspection records will be reviewed. EPEA compliance records will also be surveyed for other facilities owned by the same company in Alberta. In addition, activities and operations of the company that fall under other Alberta Environment or Alberta Sustainable Resource Development legislation will be reviewed. While the main emphasis of the compliance review is focused on the facility for which the application is being made, the other reviews ensure the integrity of the program and its participants. Details are presented below and a summary of these compliance criteria is found in Appendix C.

4.1.1.1 Facility Compliance Screening Criteria (EPEA)

Enforcement Record- The facility should have a commendable record of compliance for the past five years. This means no prosecutions, Enforcement Orders or Environmental Protection Orders. Allowance will be given for one enforcement action, either a Warning Letter or an Administrative Penalty, provided that the penalty infraction did not relate to a major potential for adverse effect or a major deviation from the EPEA regulatory scheme. That is, the infraction was truly administrative in nature and not related to resource/environmental damage.

Incident and Inspection Record-The facility should have no outstanding investigations. All incidents reported by the facility and any deficiencies identified by Alberta Environment inspections must be resolved or, a satisfactory action plan must be in progress. The company is expected to summarize the facility incident and inspection history (prior two year period) in the LEAD application.

4.1.1.2 Related Company Facilities/Activities (EPEA)

Other facilities owned/operated by the parent company within Alberta that are regulated under EPEA should have an *acceptable* record of compliance over the prior three years. This means no prosecutions or Enforcement Orders. Allowance will be made for two minor enforcement actions, either warning(s) or Administrative Penalty(s), provided that the offences were not related to a major potential for adverse effect or a major variation from the regulatory scheme (see appendix C). In addition, the circumstances and status of any EPO issued within the prior three years and any outstanding investigations will be reviewed.

4.1.1.3 Company Activities/Operations Regulated Under Other Alberta Environment or Alberta Sustainable Resource Development Legislation

A compliance history review of any company activities and operations regulated under other legislation administered by Alberta Environment or Alberta Sustainable Resource Development will also be undertaken. This applies to legislation protecting forests, public lands, fisheries, wildlife, and water. Any enforcement action taken in the prior three-year period should not be of a nature that that could discredit the LEAD Program.

4.2 ENVIRONMENTAL MANAGEMENTS SYSTEMS — EMS

Environmental management systems can be defined as a formal set of rules and procedures that companies adopt in order to establish practices and behaviour that help to satisfy corporate environmental goals. An EMS establishes an ethic and a code of behaviour that, at a minimum, directs managers to establish environmental objectives, assign responsibility, allocate resources, and regularly measure and report progress. Preparing an EMS demands that a company or facility examine the environmental effects of each of its processes and sub-processes. Typically this systematic analysis reveals savings and efficiencies that may have been previously overlooked.

Because an EMS is unique to the company or facility being analyzed they can differ in level of detail and scope.

Environmental Management Systems are not a substitute for the regulatory controls. Rather they are a set of behaviours and processes that help to ensure compliance with environmental regulatory requirements regardless of the nature and stringency of the requirements.

Alberta Environment encourages the use of environmental management systems. Experience in other jurisdictions verifies both the importance of EMS to regulators, companies and public confidence and the value of EMSs in achieving good environmental performance.

The specific details of EMS content were discussed in Section 2 and potential requirements for each tier are described in Appendix B.

4.3 PERFORMANCE MEASURES

LEAD applicants will establish environmental and process or outcome based performance goals and measures in conjunction with regulators and ENGO/Public Advisory Committees. These will not substitute for regular compliance reporting requirements but will be linked to the EMS and future performance goals of the facility. They should encompass P2 and continuous improvement principles. A broad range of performance measures is possible and should address both current and possible future facility operations.

Performance measures maybe extended to include such options as habitat creation on facility lands, bussing employees and other options that address non-regulated pollutants and life-cycle product care.

Performance measures should be defined in easily quantifiable terms and will be reviewed annually by all parties. New ones will be set as appropriate.

4.3.1 EVALUATING PERFORMANCE MEASURE ATTAINMENT

One of the goals of the LEAD Program is to encourage companies to achieve better overall environmental performance. The evaluative system for measuring performance needs to be rigorous, but also sufficiently flexible so as not to punish innovative approaches that fall short of targets. When performance measures are not met the reason(s) need to be identified and explained. Barriers to meeting performance goals could be institutional, regulatory or technical causes. Since performance measures and associated targets would generally be over and above compliance requirements, failure to meet them would not result in compliance/enforcement action under EPEA. However, repeated failure to meet performance expectations would result in a review or termination from the program.

4.4 PUBLIC PARTICIPATION

The basic requirement is that the facility develops and implements a meaningful stakeholder involvement plan for the facility. Within the LEAD system frequent and transparent stakeholder involvement is required. Consultation is expected to be on going and not limited just to the approval renewal or amendment aspects. Stakeholders should also be involved in the discussion and hence the setting of the environmental performance goals and measures and monitoring their achievement. This requirement may dictate the need for broader stakeholder participation, which will be tested in the Pilot Program.

The Pilot Program includes provisions for the participation of Toxic Watch and the Pembina Institute for Appropriate Development (PIAD) as ENGO participants. Their participation from the start of Phase 1 and their involvement with the pilots

will provide consistency at the provincial level, and insight as the program develops. Their contribution is in addition to local stakeholder involvement.

4.5 MAINTAINING PARTICIPATION IN THE LEAD PROGRAM

Facilities in the LEAD Program pilot phase will be expected to maintain the commitments and performance measures outlined in their LEAD approval. These would include:

- ✓ Have or prepare an EMS
- ✓ Develop "continuous improvement" goals and attain these
- ✓ Meet new LEAD emission or other defined requirements [performance measures, targets as well as specific emission limits]
- ✓ Complete the annual performance reporting
- ✓ Maintain public confidence in the environmental performance of the facility
- ✓ Meet stakeholder involvement commitments
- ✓ Maintain a commendable compliance record

Facilities are also expected to maintain compliance with requirements from their original approval.

Failure to meet specific performance criteria will not necessarily mean removal from the program. Clearly the first priority will be to evaluate the reason(s) behind any failure to meet LEAD performance measures, and attempt to resolve these. Repeated failure to meet LEAD targets for emissions will likely result in the review of the facilities participation in the program. Failure to meet specific EPEA emission limits may result in enforcement action and termination from the Program

LEAD approvals may be renewed at the end of their term once a comprehensive review has been completed (2 to 3 years for the Pilot Program).

4.6 REMOVAL CRITERIA (TERMINATION)

Either Alberta Environment or the company can initiate termination from the program. At the discretion of the Director, AENV may terminate the LEAD Approval if the Approval holder:

- ✓ Is charged with an offence (other than a ticketable offence) under EPEA
- ✓ Is found liable in an Administrative Penalty for an offence under EPEA where **either** the potential for adverse effect or variation from the regulatory scheme was determined to be **major,** as referenced in the *Administrative Penalty Regulation 143/95 (as amended).*
- ✓ Is issued an Enforcement Order under EPEA, or
- ✓ Fails to comply with an EPO.

A review of an applicant's status within the LEAD Program that could result in a facility being put on notice of termination will be undertaken if the Pilot Approval holder:

- ✓ Experiences repeated incidents/infractions that reflect an underlying deficiency in the facilities EMS.
- ✓ Fails to resolve within the stipulated time period any operational deficiency or infraction identified through AENV inspections, reviews or audits, or through the facilities EMS program.
- ✓ Repeatedly fails to achieve/meet any of the commitments and conditions of the *LEAD* Approval including, emission reductions/performance, P2, continuous improvement, stakeholder involvement/obligation, reporting requirements and EMS performance.
- ✓ Experiences decreased emission performance compared with the baseline emission performance referenced in the *LEAD* Program application for program entry.

At the discretion of the Director facilities may be put on notice of termination rather than immediate termination from the Program. This would give facilities the opportunity to correct the problems through adjustments to their EMS and operations in consultation with their stakeholders.

4.6.1 VOLUNTARY FACILITY WITHDRAWAL

Companies can remove themselves from the Pilot Program at their discretion by providing 30 days written notice to the Director, Environmental Sciences, Alberta Environment.

SECTION 5 — RECOGNITION AND INCENTIVES

One of the major benefits of the program to industry is the opportunity for public recognition of their membership in the LEAD Program and their related environmental achievements and performance. The Phase 1 study cited earlier also noted that other incentives, such as bubble licensing or other regulatory changes, would also benefit industry. These types of incentives will be tested during the Pilot Program to ascertain their actual benefit and to ensure that they do not result in any degradation of the environment. The Pilot Program will also assess the range of recognition and incentives that are appropriate for the improved performance promised and delivered by each facility.

Each facility is asked, as part of the application process, to indicate what incentives would benefit its operations and environmental performance.

5.1 PUBLIC RECOGNITION

The LEAD Program participants can be recognized through several initiatives.

Alberta Environment will construct web page for the program and its documents. This page will feature the companies currently in the program and provide links to the facility/corporate information pages, including reports and monitoring data, etc.

A LEAD Program logo may be developed for use by facilities on their promotional material and public reports and products.

The Alberta Emerald Foundation for Environmental Excellence annually offers awards to recognize "large corporate entities and industries that demonstrate significant ongoing commitment to the environment and which exceed normal practices or statutory duties"[4]. As well, the Canadian Council of Ministers of the Environment offers annual Pollution Prevention Awards to large business to give "national recognition to companies and organizations showing cutting-edge accomplishment or leadership in pollution prevention"[5]. AENV will assist LEAD Pilot Program facilities in preparing appropriate applications for these awards. As facilities enter the LEAD Pilot Program, AENV will work with the facility to coordinate a press release that recognizes the facility's past records of commendable environmental performance and its commitment to future exemplary performance under the Program.

Other public recognition methods will be discussed and considered as part of the Pilot Program.

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[4] The Alberta Emerald Foundation for Environmental Excellence. *2000 Awards Application Form*, Edmonton Alberta 2000.

[5] The Canadian Council of Ministers of the Environment, *2000CCME Pollution Prevention Awards Brochure*, Winnipeg, Manitoba, 2000.

5.2 REGULATORY INCENTIVES

A number of different potential incentives could be included in this category. They will vary depending on the facility, its operations and its needs. The following is a summary of some possibilities. This should not be regarded as a complete list; the Pilot Program participants and regulators will develop other incentives as the opportunities arise.

5.2.1 PREAPPROVAL FOR MINOR PROCESS AND EQUIPMENT CHANGES

Most conventional approvals require companies contemplating process or equipment changes to apply for approval to the agency prior to the change. Surveys in other jurisdictions have found that this clause actually prohibits innovation on the part of companies and therefore slows the process of emission reduction.

Performance track experience has shown that companies approved for LEAD type approvals in other jurisdictions should be permitted to make changes to equipment and processes without going through the formal amendment procedure provided that no increase in overall facility emission quantities or types occurs as a result of these changes.

Lead participants will be able to notify the Director that they are making an equipment or process change. This incentive is perceived to greatly enhancing a company's ability to experiment and reduce costs and emissions. This is often one of the most important benefits that regulators can offer.

5.2.2 FACILITY-WIDE (BUBBLE) PERFORMANCE TARGETS

Experience has shown that companies gain flexibility when regulators implement facility-wide emission limits (bubble approval) either within or across media (air, water, solid wastes, etc.). Usually the gains are within one media such as air or water. The summing of individual sources over-estimates required and appropriate emission limits. Therefore it has been common practice in some US jurisdictions to place a reduced limit cap on the facility when the bubble approval is issued. There is an implicit expectation to reduce emissions, usually as a tradeoff for the flexibility inherent in the bubble approval.

Incorporating this feature into a LEAD approval would provide increased flexibility for the facility while at the same time facilitating achievement of overall emission reductions.

AENV will work with stakeholders and the LEAD Pilot facilities to establish methods to gauge compliance/non-compliance within the bubble permitting approach.

5.2.3 PERFORMANCE (OUTCOME-BASED) REQUIREMENTS

Facilities applying for LEAD approvals may request the removal of particular approval clauses that specify the use or application of certain types of equipment or procedures, provided that the facility commits to outcome based requirements which would reduce emissions or improve environment performance.

In their application facilities should identify which clauses they would like to place in this category and identify the emissions improvements that would result from their proposed changes. The specific items can be identified and considered during the initial exploratory meeting and/or the application review meeting leading up to the filing of the formal application.

5.2.4 EXPEDITED APPROVAL APPLICATION SERVICE

LEAD facilities will receive priority attention for approvals and amendments, where required. A single point of contact will be established with the facility to coordinate all aspect of the LEAD approval and integration with the existing approval.

It is anticipated that the nature of the LEAD Program with its performance goals and measures and public reporting focus will result in faster and more efficient renewal at the end of the 10-year approval period.

SECTION 6 — THE LEAD APPROVAL

A draft LEAD approval outline has been prepared for use and testing during the Pilot Program. A copy is included as Appendix E. It is important to recognize that termination of LEAD approval would result in the original EPEA approval clauses being reinstated.

ACRONYMS

AENV – Alberta Environment

AEPEA – Alberta Environmental Protection and Enhancement Act

EMS – Environmental Management System

ENGO – Environmental Non-Government Organization

LEAD – Leaders Environmental Approval Document

P2 – Pollution Prevention

APPENDIX A – STUDY ADVISORY COMMITTEE MEMBERS

Alberta Environment, Compliance Division - Jillian Flett

Alberta Environment, Compliance Division – Scott Livingstone

Alberta Environment, Environmental Sciences Division – William Macdonald

Alberta Environment, Environmental Sciences Division – Chow-Seng Liu

Alberta Environment, Environmental Sciences Division – David Spink

Alberta Environment, Environmental Sciences Division – George Murphy

Alberta Environment, Policy Secretariat - Annette Trimbee

Alberta Forest Products Association - Neil Shelly

Canadian Association of Petroleum Producers - David Pryce

Canadian Chemical Producers' Association – Al Schulz

Dow Chemical Canada Inc. - Will Vandenborn

Environmental Law Centre - Arlene Kwasniak

Pembina Institute for Appropriate Development – Thomas Marr-Laing

Toxic Watch Society of Alberta – Myles Kitagawa

APPENDIX B — LEAD PROGRAM TIERS[6]

Program Component	Tier 1	Tier 2	Tier 3
Environmental Management System	Develop and implement **a basic robust EMS** that is focused on environmental impacts, provides a mechanism for evaluating continuous improvements, and supports verification. Within the EMS commit to: • Maintaining & exceeding regulatory compliance • Applying CI/P2 principles • Define a hierarchy of objectives & targets for major impacts or waste trains.	Beyond the Tier 1 requirements, maintain and improve a robust EMS that is **certified at the ISO 14001 level,** or meets the purpose or intent of each ISO 14001 clauses, and supports verification. Continue to demonstrate continuous improvement and the application of the Pollution Prevent principle, on an ongoing basis. Commit to an **independent audit of the environmental performance** from the facility and those aspects that are key to the achievement of the performance measures, on a time-step to be determined with stakeholders and the regulatory authority.	
Scope of Impacts Controlled	Evaluate significant impacts and set targets to improve the environmental performance of the facility to manage and reduce the load of **regulated pollutants** to the environment.	In addition to the Tier 1 requirements, set targets and objectives that will achieve superior performance for the site-based significant impacts, taking into account both **regulated and unregulated pollutants** and other environmental impacts such as land use, water use, etc.	Comply with all of the Tier 2 requirements and demonstrate industry leadership in applying **sustainable development principles to the life cycle** of key aspects for the facilities **products, services and byproducts**. Where feasible, evaluate and test the use of by-products within other sectors of the economy, with the goal of reducing waste streams to the environment.
Performance Measures	Establish *performance measures*, which will be used to evaluate and explain the environmental performance and relate these to past and future performance. Identify and explain any significant institutional, regulatory or technical barriers to achieving improvements in environmental performance.		

[6] No decision has been reached as to whether or not tiers will be a part of the final LEAD Program. Their role will be further evaluated during the Pilot Project

Program Component	Tier 1[7]	Tier 2	Tier 3
Reporting Requirements	Initial Requirement: Submit a ***Baseline Performance Report*** that summarizes the environmental policies affecting the facility's performance, information regarding significant environmental impacts to air, land and water, and outlines a program to achieve the results outlined above. ***Annual Performance Reporting***: Develop a plan for and produce annual performance reports that include performance achievements, EMS deficiencies and improvements to overcome these, compliance issues, and stakeholder involvement including input received from stakeholders.	Expand the content of the ***Baseline Performance Report*** to include the increased scope of impacts for these tiers. Outline past performance measures and report on their attainment or limitations to their attainment and how these have or will be overcome. In the ***Annual Performance Report*** detail the attainment of the performance measures previously set, and develop a plan for the annual updating of performance measures that is consistent with the requirements for stakeholder involvement, and meets the Tier 1 requirements. Report on the recommendations of stakeholders with respect to the record of the facility in achieving its performance measures and the dialogue to set new performance measures.	
Previous Performance	Demonstrate that recent emissions performance was significantly better than licensed requirements and/or is significantly better than the norms for this industrial facility type. Criteria to consider recent ratchets.	Demonstrate that the facility has reduced emissions in the immediate period prior to applying for a Tier 2 or 3 permit. For new facilities, which meet the other criteria, demonstrate how the design proposed will reduce emissions and impacts to those that will be significantly better than the norms for this type of facility in Alberta.	
Future Performance	Through the EMS steps outlined above, develop and implement an environmental program that will achieve environmental results that are significantly better than those otherwise required by law, and demonstrate by projected reductions of impacts (linked to the Scope of Impacts section) what the environmental benefits are.		

[7] No decision has been reached as to whether or not tiers will be a part of the final LEAD Program. Their role will be further evaluated during the Pilot Project

Program Component	Tier 1[8]	Tier 2	Tier 3
Stakeholder Involvement	Develop and implement a plan for stakeholder involvement that provides the public stakeholders with information on the facility's environmental impacts, its legal requirements, and the proposed performance measures. Within the plan detail mechanisms for annual reporting to stakeholders, processes for receiving and responding to comments and how this dialogue will be incorporated into the EMS and reported to regulatory authorities.	Expand the scope of the Stakeholder involvement to accommodate the increased Scope of Impacts and verify that the plan achieves successful two-way dialogue on environmental performance. Expand the content of the involvement to include corporate environmental policy, annual performance reporting, and the establishment of new performance measures. Provide the independent audit of environmental emissions released by the facility directly to stakeholders.	

[8] No decision has been reached as to whether or not tiers will be a part of the final LEAD Program. Their role will be further evaluated during the Pilot Project

APPENDIX C — LEAD PROGRAM ENTRY CRITERIA AND REQUIREMENTS

Compliance History	Facility Applying (EPEA)	Other Company Facilities/Activities regulated under EPEA	Company Activities/Operations regulated under other Alberta Environment or Alberta Sustainable Resources Development Legislation[9]
1. **Enforcement Record**	**Commendable compliance history (past 5 years[10]).** No Prosecutions, Enforcement Orders or Environmental Protection Orders. Allowance for one enforcement action, either of; an Administrative Penalty, provided the infraction did not relate to a major potential for adverse effect or a major variation from the regulatory scheme or a warning letter[11].	**Acceptable compliance history (past 3 years).** No Prosecutions or Enforcement Orders. Allowance for two enforcement actions either of; Warning(s) or Admin Penalty(s) provided offences were not related to a major potential for adverse effect or major variation from regulatory scheme.	**Compliance history review (past 3 years)** Enforcement record should not be of a nature that could discredit the *LEAD* Approvals program. Enforcement record to be reviewed for offences resulting in environmental / resource damage, repeat offences and high frequency of enforcement actions.
2. **Incident & Inspection Record**	• No outstanding investigations. • All reported incidents resolved or a satisfactory action plan in progress. Any deficiencies identified during inspections have been resolved or a satisfactory action plan in progress.[12]	Circumstances & status of any EPO issued (past three years) and any outstanding investigations to be reviewed.	

[9] Other AENV legislation pertains to Forestry, Public Lands, Exploration, Fisheries, Wildlife, Parks and Water Act

[10] Time period stipulations may consider date of the offence in addition to the date enforcement action taken.

[11] Major potential for adverse effect or major variation from regulatory scheme as referenced in the Administrative Penalty Regulation 143/95.

[12] Company to address incident & inspection history in *LEAD* application. Facility must have undergone an AENV multi-media inspection within prior two years; otherwise the *LEAD* application will be subject to completion of satisfactory inspection.

APPENDIX D — WORKSHEET FOR EVALUATING EMS

This needs to be developed as part of the Pilot Program.

APPENDIX E — DRAFT LEAD APPROVAL

See the following pages.

Alberta
ENVIRONMENT

PROVINCE OF ALBERTA

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT
S.A. 1992, c.E-13.3, as amended.

AMENDING APPROVAL

Under the
LEAD PROGRAM FOR ENVIRONMENTAL EXCELLENCE

The LEAD (Leaders' Environmental Approval Document) Program is an approvals system and product that recognizes and encourages enhanced environmental performance and responsibility

APPROVAL NO. ######

APPLICATION NO. ######

EFFECTIVE DATE:. <month> , 2001

EXPIRY DATE: #######

APPROVAL HOLDER ABC Company

Pursuant to Division 2, of Part 2, of the *Environmental Protection and Enhancement Act*, S.A. 1992, c.E-13.3, as amended, the approval for the following activity:
<designated activity>
is amended as per the attached terms and conditions.

Designated Director under the Act .....

Date Signed <month> , 2001

Terms and Conditions attached to Approval

Environmental Protection and Enhancement Act Approval No. xxxx as amended, is hereby amended.

Amending Approval

1. Sections xxxxx of Approval No. xxxx is deleted.

2. Approval No. is amended by adding the following sections.

Definition

3. Unless otherwise specified, all terms are as defined in Approval No. xxxxxxxx

Elements of an A1 Program Approval

4. The approval holder shall

   (a) maintain an Environmental Management System (EMS) as described in section 5,

   (b) stated by [date] each year, environmental performance goals that are acceptable to the Director,

   (c) submit by [date] each year, an annual report of environmental performance achieved by the plant, and

   (d) involve the public in evaluating the plant's environmental performance as described in the application dated xxxx

EMS

5. The EMS shall include but not be limited to

   (a) full participation in the Canadian Chemical Producers Association's Responsible Care® Program. [maintaining certification in ISO 14001]

   (b) an external environmental audit report to be submitted to the Director by ...[date], and

   (c) a public education program as described in the application dated.....

Environmental Performance Goals

6. The Environmental Performance Goals shall include but not be limited to

   (a) annual goals for the release of contaminants to the environment,

   (b) pollution prevention goals for the minimization of contaminants requiring control, treatment, off-site transfer, or release to the environment, and

   (c) continuous improvement goals for environmental management.

Terms and Conditions attached to Approval

Environmental Performance Report

7. The Annual Environmental Performance Report shall include but not be limited to

   (a) a summary of accidental releases to the environment and subsequent action taken
   (b) a summary of non-conformance to
   (c) a summary of environmental achievements, improvement and performance relative to the stated Environmental Performance Goals, and
   (d) a summary of public involvement activities and events report.

Incentives

8. Subject to s 64(1) EPEA, the approval holder may

   (a) make process modifications, and

   (b) make equipment changes.

Termination

9. This amending approval may be terminated by

   (a).....the approval holder, or

   (b).....the Director

   by giving 30 days notice in writing.

DATED <month> , 2001

DESIGNATED DIRECTOR UNDER THE ACT

APPENDIX F — SAMPLE APPLICATION FOR THE LEAD PILOT PROGRAM

APPLICATION FOR APPROVAL AMENDMENT

UNDER LEAD PROGRAM

SECTION 1

BACKGROUND INFORMATION

1.1 APPLICANT INFORMATION

1.2 PLANT PROCESS INFORMATION

1.3 EMISSIONS/EFFLUENT/WASTES INFORMATION

SECTION 2

ENVIRONMENTAL MANAGEMENT SYSTEM (EMS)

2.1 CERTIFICATION

2.2 COMPONENTS OF THE EMS

- COMPANY/FACILITY POLICY OR ENVIRONMENTAL COMMITMENT STATEMENT
- COMPANY CONTACTS WITH RESPECT TO POLICY, AIR, WATER AND WASTE AREAS OF RESPONSIBILITY **(LIST)**
- TRAINING AND AWARENESS

- COMMUNICATION PROCESSES
- COMMUNITY INVOLVEMENT PROCESSES
- DOCUMENT CONTROL
- EMERGENCY RESPONSE
- MONITORING AND MEASUREMENT
- AUDIT PROGRAM

  - INTERNAL AND EXTERNAL AUDIT SYSTEMS

- REPORTING SYSTEMS
- RECORD KEEPING SYSTEM
- MANAGEMENT REVIEW PROCESS

SECTION 3

PERFORMANCE AND COMPLIANCE HISTORY

3.1 AIR EMISSIONS RELATIVE TO RELEASE LIMITS/EQUIPMENT PERFORMANCE SPECIFICATIONS

3.2 WASTEWATER EFFLUENTS RELATIVE TO RELEASE LIMITS/DESIGNED SPECIFICATIONS

3.3 SOLID/HAZARDOUS WASTE INVENTORY

3.4 COMPLIANCE RECORD

SECTION 4

ENVIRONMENTAL GOALS

4.1 OVERALL PLANT RELEASES TO THE ENVIRONMENT

4.2 AMBIENT ENVIRONMENTAL INDICATORS

4.3 SOCIOECONOMIC OBJECTIVES

SECTION 5

POLLUTION PREVENTION (P2) AND CONTINUOUS IMPROVEMENT (CI) PLANS

5.1 P2 AND CI GOALS

5.2 POLLUTION PREVENTION PROJECTS/STUDIES

5.3 CONTINUOUS IMPROVEMENT PROJECTS/STUDIES

SECTION 6

PERFORMANCE REPORTING

6.1 PERFORMANCE MEASURES

6.2 ANNUAL REPORTS

6.3 COMMUNITY CONSULTATION AND INVOLVEMENT

SECTION 7

INCENTIVES REQUESTED

7.1 PRE-APPROVE PLANT PROCESS/EQUIPMENT MODIFICATIONS

7.2 APPROVAL CLAUSES TO BE DELETED

7.3 APPROVAL CLAUSE TO BE AMENDED